

*Final*  
*November 5, 2019*

**PLANNING AND  
ECONOMIC  
DEVELOPMENT  
STANDING  
COMMITTEE**

OFFICE OF CONTRACTING  
AND PROCUREMENT

October 30, 2019

HONORABLE CITY COUNCIL:

The Purchasing Division of the Finance Department recommends a Contract with the following firm(s) or person(s):

6001869      100% City Funding – AMEND 1 – To Provide an Increase of Funds for Cardiac Monitoring Supplies for the City of Detroit's Fire Department EMS Division. – Contractor: Bound Tree Medical – Location: 5000 Tuttle Crossing Blvd., Dublin, OH 43016 – Contract Period: Upon City Council Approval through August 31, 2020 – Contract Increase Amount: \$134,578.20 – Total Contract Amount: \$328,297.22. **HOUSING AND REVITALIZATION - Previous Contract Period: January 1, 2019 to December 31, 2019**

Respectfully submitted,

Boysie Jackson, Chief Procurement Officer  
Office of Contracting and Procurement

BY COUNCIL MEMBER           TATE          

**RESOLVED**, that Contract No. 6001869 referred to in the foregoing communication dated October 30, 2019, be hereby and is approved.

**OFFICE OF CONTRACTING  
AND PROCUREMENT**

October 30, 2019

HONORABLE CITY COUNCIL:

The Purchasing Division of the Finance Department recommends a Contract with the following firm(s) or person(s):

6001033      100% City Funding – AMEND 1 – To Provide an Extension of Time and Increase of Funds for Vehicle Wash Services for the City of Detroit’s Police Department. – Contractor: Jefferson Car Wash – Location: 14615 E Jefferson, Detroit, MI 48215 – Contract Period: Upon City Council Approval through October 31, 2020 – Contract Increase Amount: \$66,804.00 – Total Contract Amount: \$200,412.00.  
**HOUSING AND REVITALIZATION - Previous Contract Period: November 1, 2017 – October 31, 2019**

Respectfully submitted,

Boysie Jackson, Chief Procurement Officer  
Office of Contracting and Procurement

**BY COUNCIL MEMBER \_\_\_\_\_ TATE \_\_\_\_\_**

**RESOLVED**, that Contract No. 6001033 referred to in the foregoing communication dated October 30, 2019, be hereby and is approved.

**OFFICE OF CONTRACTING  
AND PROCUREMENT**

October 30, 2019

HONORABLE CITY COUNCIL:

The Purchasing Division of the Finance Department recommends a Contract with the following firm(s) or person(s):

6002478      100% City Funding – To Provide Environmental Remediation and Other Work to Assist in Preparing Properties for Future Development. – Contractor: Detroit Brownfield Redevelopment Authority – Location: 500 Griswold Suite 2200, Detroit, MI 48226 – Contract Period: Upon City Council Approval through November 3, 2020 – Total Contract Amount: \$250,000.00. **PLANNING AND DEVELOPMENT**

Respectfully submitted,

Boysie Jackson, Chief Procurement Officer  
Office of Contracting and Procurement

**BY COUNCIL MEMBER**           TATE          

**RESOLVED**, that Contract No. 6002478 referred to in the foregoing communication dated October 30, 2019, be hereby and is approved.

Alton James  
Chairperson

Lauren Hood  
Vice Chair/Secretary

Marcell R. Todd Jr.  
Director

**City of Detroit**

**CITY PLANNING COMMISSION**

208 Coleman A. Young Municipal Center  
Detroit, Michigan 48226

Phone: (313) 224-6225 Fax: (313) 224-4336  
e-mail: [cpc@detroitmi.gov](mailto:cpc@detroitmi.gov)

Brenda Goss Andrews  
Damion W. Ellis  
David Esparza, AIA, LEED  
Gregory Pawlowski  
Frederick E. Russell, Jr.  
Angy Webb

October 30, 2019

HONORABLE CITY COUNCIL

**RE: Hostels Ordinances (RECOMMEND APPROVAL WITH MODIFICATIONS)**

**Background**

In 2011, the Fourth General Text Amendment to the Zoning Ordinance (Ord. No. 13-11) included the first provisions in Chapter 61 of the 1984 Detroit City Code (*Zoning*) with respect to youth hostels/hostels as a land use. Council Member Raquel Castaneda-Lopez has requested that the bulk of the regulations for hostels be moved from the Zoning Ordinance into the chapter of the City Code dealing with Public Lodging (Chapter 44 of the 1984 Detroit City Code). With recodification, Chapter 61 of the 1984 Detroit City Code, *Zoning*, is now Chapter 50 of the 2019 Detroit City Code and Chapter 44 is now Chapter 36.

**Scope of the *Zoning* Amendment, Chapter 50 of the 2019 Detroit City Code**

The Zoning Ordinance amendment repeals the fourteen regulations specified in Sec. 50-12-322 and amends the definition of youth hostel/hostel (Sec. 50-16-462) for consistency with the same definition proposed in the Chapter 36 amendment.

The 2011 hostel ordinance was somewhat atypical of zoning amendments because the list of 14 use regulations included not only zoning/land use provisions but also went into areas more appropriate to licensing specifications or building code regulations or “house rules.”

The proposed Zoning Ordinance text amendment makes no change to the permissibility of hostels: they remain a Conditional Use on land zoned R2, R3, R4, R5, R6, B1, B2, B4, B5, SD1, and SD2. The amended use regulation in Sec. 50-12-322 newly states that hostels are “subject to the provisions of Chapter 36, *Public Lodging*, Article I, *Public Accommodations*, Division 1, *Generally*, Division 3, *Hostels*, and Division 4, *Licenses*, of the 2019 Detroit City Code.”

As part of Zoning, hostel violations were processed as blight violations; as part of Chapter 36, *Public Lodging*, hostel violations will be treated as misdemeanors.

**Scope of the *Public Lodging* Amendment, Chapter 36 of the 2019 Detroit City Code**

The Chapter 36 provisions for hostels involve the definition and various regulations:

Definition. Sec. 36-1-1 provides the following:

*Hostel* means an overnight lodging facility offering temporary lodging and services related to hostelling that is operated, managed, or maintained under sponsorship of a nonprofit or for-profit organization, providing beds for rent on a daily basis in individual

rooms or dormitories, and typically characterized by low cost, shared use of a self-service kitchen, common areas, sleeping rooms, and bathroom facilities. This use does not include emergency shelters, rooming houses, single-room-occupancy housing, pre-release adjustment centers, or halfway houses.

The only differences in this definition and the 2011 definition of hostel is that it shortens the land use title from “youth hostel/hostel” to, simply, “hostel;” it also deletes the phrase, “...in a building originally constructed for other than use as a single-family dwelling or two-family dwelling.” The effect of this change would be to make single- and two-family dwellings in the higher intensity zoning districts newly eligible for a change of use to a hostel on a Conditional Use basis. This is one of the Chapter 36 provisions which the City Planning Commission (CPC) has recommended for modification.

#### Regulations specific to hostels

Ten of the 14 hostel provisions of the 2011 Zoning Ordinance text amendment are preserved or strengthened in the Chapter 36 amendment:

- *Staffing.* Management staffing is required on a 24-hour basis (Sec. 36-1-41(1)).
- *Common space; lockers.* Common interior space is required for residents (Sec. 36-1-41(2)); Individual lockers or a locked luggage room must be provided (Sec. 36-1-41(3)).
- *Smoke alarm.* Per Michigan Building Code, a separate smoke alarm is required for each sleeping room (Sec. 36-1-41(4)).
- *Fire escape plan.* A fire escape plan must be displayed in each guest room (Sec. 36-1-41(5)).
- *Lavatories/showers/handwashing.* One lavatory, one shower, and one handwashing facility is required per 15 sleeping spaces with appropriate lodger privacy (Sec. 36-1-41(7)).
- *Identification.* Government-issued identification is required as a condition of lodging (Sec. 36-1-41(8)).
- *Minors.* Lodging by those under age 18 without parent/guardian/organized group leader is prohibited (Sec. 36-1-41(9)).
- *Occupancy limits.* Buildings, Safety Engineering and Environmental Department determines building occupancy limit (Sec. 36-1-41(11)).
- *Fair Housing.* Hostels are subject to Title VIII of the Fair Housing Act of 1968 (Sec. 36-1-41(12)).
- *Laundry.* Laundry facilities or service for lodgers staying longer than seven days must be provided (Sec. 36-1-41(14)).

Four of the 14 hostel provisions of the 2011 Zoning Ordinance text amendment are changed:

- *Length of stay.* The maximum length of an individual’s stay is increased from 14 to 17 days; the 21-day minimum between stays of repeat visitors remains unchanged (Sec. 36-1-41(6)).
- *Signage.* The specifications for identification signs for hostels are repealed; the generally applicable sign regulations stated in Chapter 4 of the Detroit City Code will apply.

- *House rules.* The “rule of conduct” prohibiting controlled substances and alcohol on the premises is not preserved. Rules relative to check-in/check-out/curfew, animals on premises, and amplified music are preserved (Sec. 36-1-41(10)).
- *Affiliation.* The expectation of a hostel’s affiliation with a national or international hostel association within one year of opening is deleted.

### **Results of August 1, 2019 CPC public hearing and public discussion**

In addition to the CPC staff, Mr. Zach Ormsby from Council Member Castaneda-Lopez’s office and Attorney Tonja Long of the Law Department were present to speak to the proposed amendments to the City Code and to respond to comments and questions.

The Law Department provided the Commission with a revised and shorter version of the amendments to the Public Lodging Chapter (*Chapter 44 of the 1984 Detroit City Code and Chapter 36 of the 2019 Detroit City Code*). The revised draft omitted provisions that were unrelated to hostels and, importantly, it included a requirement that hostels be licensed by the City’s Business License Center.

Two members of the public were present to voice their opinion relative to the ordinances: one spoke in opposition to the amendments as an activist from Russell Woods anticipating problems of prostitution and drugs; the second speaker supported hostels in designated areas of the city. Additionally, one letter of opposition was received from a block club president concerned over potential abuse of indigents and the proposed allowance of alcohol and controlled substances on the premises.

Commissioners asked the Law Department to report back regarding the applicability of ADA requirements to hostels and asked CPC staff to obtain information regarding the status of existing hostels in the city and to request a representative from the Buildings, Safety Engineering and Environmental Department (BSEED) for the September 5<sup>th</sup> CPC meeting.

The Law Department’s 3-page opinion in response to the ADA question is attached; the existing hostel at 2700 Vermont Street is free of violations and possesses a certificate of occupancy; BSEED staff was present at the September 5<sup>th</sup> meeting.

In the course of the August 1<sup>st</sup> meeting, it was noted that both hostels and short term rental properties offered accommodations for transients. While short term rentals are proposed to be limited to a person’s own primary residence, limited to 90 nights’ operation per year and located at least 1,000 feet from another short term rental, hostels could operate 360 days per year unrestricted by a spacing limitation.

### **Analysis**

The CPC notes that the removal of the hostel regulations from the Zoning chapter of the Code to the Public Lodging chapter of the Code is very appropriate. Of particular value is the new requirement that hostels be licensed by the City thus making hostels more accountable and administration and enforcement by the City clearer.

One possible scenario, however, is troubling. The owner of a single- or two-family dwelling located on land zoned R3, R4, R5, R6, B1, B2, B4, B5, SD1, or SD2 could file for a conditional land use hearing for a hostel and, if approved after the required public hearing at BSEED, could

operate as 360-day per year short term rental (Airbnb-type use) with no spacing restriction. This inadvertently creates a loophole relative to the proposed short term rental ordinance provisions approved by the CPC on June 20, 2019.

It should be noted that short term rentals in single- or two-family dwellings are most likely, though not necessarily, to occur on land zoned R1 and R2 where hostels are prohibited. Yet, there are likely hundreds of single- and two-family dwellings in the zoning districts where hostels are conditionally permitted.

The original intention in 2011 of specifying hostels as a land use in a building other than a single- or two-family dwelling was to avoid the establishment of unofficial group homes, particularly in R3 districts, where rooming houses, emergency shelters, assisted living facilities, and nursing homes/rest homes are prohibited. Unofficial group homes have long been a complaint of neighborhood organizations and a challenge for zoning enforcement.

### **Recommendation**

At its meeting of September 5, 2019, the CPC recommended approval of the proposed hostel amendments—Chapter 50 of the 2019 Detroit City Code, *Zoning*, and Chapter 36 of the 2019 Detroit City Code, *Public Lodging*, as submitted by the Law Department—with one amendment involving two sections—one section in each of the two proposed amendments:

- Sec. 50-16-462. The definition of hostel should preserve the wording, “...in a building originally constructed for other than use as a single-family dwelling or two-family dwelling....”
- Sec. 36-1-1. The definition of hostel should be expanded to reflect the current definition in the Zoning chapter to include the wording, “...in a building originally constructed for other than use as a single-family dwelling or two-family dwelling....”

### **Next steps**

As is the case with multi-chapter amendments of the City Code, it is appropriate that the amendments to the two chapters be scheduled for a vote at the same formal session even if the public hearings for each chapter are not held on the same day. The Chapter 50, *Zoning*, amendment awaits approval as to form; the Chapter 36 amendment has been transmitted by the Law Dept. under separate cover.

Respectfully submitted,

ALTON JAMES, Chairperson

*Marcell R. Todd, Jr.* <sup>MRB</sup>  
Marcell R. Todd, Jr., Director

M. Rory Bolger, Staff

### **Attachments**

cc: Arthur Jemison, Chief of Infrastructure and Services  
Katy Trudeau, PDD  
Karen Gage, PDD, Director of Zoning Innovation  
David Bell, Director, BSEED  
Lawrence Garcia, Corporation Counsel

## **S U M M A R Y**

**AN ORDINANCE** to amend Chapter 50 of the 2019 Detroit City Code, *Zoning*, by amending Article XII, *Use Regulations*, Sec. 50-12-322, and Article XVI, *Definitions*, Sec. 50-16-462, relative to youth hostels/hostels, for consistency with Chapter 36, *Public Lodging*, Article I, *Public Accommodations*, Division 1, *Generally*, Division 3, *Hostels*, and Division 4, *Licenses* of the 2019 Detroit City Code.

1 BY COUNCIL MEMBER \_\_\_\_\_:

05Sep2019

2 **AN ORDINANCE** to amend Chapter 50 of the 2019 Detroit City Code, *Zoning*, by  
3 amending Article XII, *Use Regulations*, Sec. 50-12-322, and Article XVI, *Definitions*, Sec. 50-  
4 16-462, relative to youth hostels/hostels, for consistency with Chapter 36, *Public Lodging*, Article I,  
5 *Public Accommodations*, Division 1, *Generally*, Division 3, *Hostels*, and Division 4, *Licenses* of the 2019  
6 Detroit City Code.

7 **IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT THAT:**

8 **Section 1.** Chapter 50 of the 2019 Detroit City Code, *Zoning*, Article XII, *Use*  
9 *Regulations*, and Article XVI, *Definitions*, is amended by amending Secs. 50-12-322 and 50-16-  
10 462 to read as follows:

## 11 **CHAPTER 50. ZONING.**

### 12 **ARTICLE XII. USE REGULATIONS**

#### 13 **DIVISION 3. SPECIFIC USE STANDARDS**

##### 14 **Subdivision E. Retail, Service and Commercial Uses; Generally**

##### 15 **Sec. 50-12-322. -Youth hostels/hostels.**

16 Youth hostels/hostels shall be subject to the ~~following requirements:~~ provisions of  
17 Chapter 36, *Public Lodging*, Article I, *Public Accommodations*, Division 1, *Generally*,  
18 Division 3, *Hostels*, and Division 4, *Licenses* of the 2019 Detroit City Code.

19 ~~(1) A youth hostel shall provide 24-hour management staffing when occupied.~~

20 ~~(2) A youth hostel shall provide common interior space for residents, which space~~  
21 ~~may consist of community kitchen/dining area, lobby, sitting area, or the like~~

1                   and shall provide lockers or locked luggage rooms.

2                   (3) Each sleeping room shall have a separate smoke alarm as required in Chapter  
3                   8, Article II, of this Code, *Building Code*.

4                   (4) A fire escape plan shall be developed and geographically displayed in each  
5                   guest room.

6                   (5) The accommodations are only to be rented or hired out to an individual for a  
7                   maximum duration of 14 consecutive days. There shall be a minimum of 21  
8                   days between stays for repeat visitors.

9                   (6) Lavatories and bathing facilities shall be available to all persons using the  
10                  premises.

11                  (7) In residential and residential PD zoning districts, one identification sign that  
12                  does not exceed six square feet in area shall be permitted. On a corner lot, the  
13                  maximum size shall be permitted on each street frontage; all signage shall be  
14                  consistent with Chapter 4, Article IV, of this Code, *Advertising*.

15                  (8) All prospective lodgers shall provide a government issued driver's license,  
16                  photo identification, passport, or international student identification card, as a  
17                  condition of lodging.

18                  (9) Lodging by minors under the age of 18 years without a parent, legal guardian  
19                  or an adult leader of an organized group shall not be permitted.

20                  (10) Management shall adopt, inform lodgers of, and strictly enforce rules of  
21                  conduct of its guests to ensure the operation is not detrimental to the health,  
22                  safety, peace or welfare of the neighborhood. All operation rules of and for  
23                  the youth hostel/hostel shall be conspicuously displayed at locations

1 throughout the premises and shall be printed in multiple languages to  
2 accommodate foreign travelers. These rules shall include, without limitation,  
3 the following:

4 a. ~~Specific check-in, check-out, day time lock-out (for cleaning purposes)~~  
5 ~~and a nighttime curfew time where applicable shall be specified and~~  
6 ~~enforced by the management;~~

7 b. ~~No controlled substances or alcohol are permitted on the premises;~~

8 c. ~~No pets are permitted (except guide dogs for the disabled); and~~

9 d. ~~No amplified music is allowed in any sleeping area.~~

10 (11) ~~Within a year of obtaining a land use permit, the hostel shall obtain and~~  
11 ~~maintain affiliation with Hostelling International USA (HI-USA) or other~~  
12 ~~national or international hostel association and otherwise promote the~~  
13 ~~premises as a hostel catering to national and/or international travelers.~~

14 (12) ~~Building occupancy limits established by the Buildings, Safety Engineering,~~  
15 ~~and Environmental Department shall not be exceeded.~~

16 (13) ~~The owner and/or management of the youth hostel/hostel shall comply with~~  
17 ~~all provisions of and guidelines of Title VIII of the Fair Housing Act of 1968.~~

18 (14) ~~For lodgers staying longer than seven days, management shall provide linen~~  
19 ~~and cleaning service at a minimum once per week.~~

## 20 **ARTICLE XVI. DEFINITIONS AND RULES OF CONSTRUCTION**

### 21 **DIVISION 2. WORDS AND TERMS DEFINED**

#### **Subdivision T. Letters "W" Through "Z"**

## Sec. 50-16-462. Words and terms (Xa-Xz and Ya-Yz and Za-Zz).

For the purposes of this chapter, the following words and phrases beginning with the letters “Xa” through “Xz” and “Ya” through “Yz” and “Za” through “Zz,” shall have the meaning respectively ascribed to them by this section:


Yard	The <i>actual</i> (as opposed to <i>required</i> ) open area that exists between a lot line and a building or structure. See also “Setback”
Yard, front	A yard extending across the full width of the lot between the front lot line and the nearest part of the principal building or structure.
Yard, rear	A yard extending across the full width of the lot between the rear lot line and the nearest part of the principal building or structure.
Yard, side	A yard extending from the front yard to the rear yard between the side lot line and the nearest part of the principal building or structure, excepting permitted encroachments.
Youth activity center	A type of nonprofit neighborhood center whose primary purpose is to provide education, recreational, cultural, and/or leisure activities for minors, but excludes: [1] an arcade, as defined in <a href="#">Sec. 50-16-113</a> of this Code; [2] a health club; [3] a medical facility; [4] a public dance hall, as defined in <a href="#">Sec. 50-16-171</a> of this Code; [5] a rehabilitation facility; [6] a rental hall, as defined in <a href="#">Sec. 50-16-362</a> of this Code; [7] a residential facility; [8] a restaurant, as defined in <a href="#">Sec. 50-16-362</a> of this Code; and [9] a school.
Youth hostel/hostel	An overnight lodging facility, in a building originally constructed for other than use as a single-family dwelling or two-family dwelling, offering temporary lodging and services related to <u>hosteling</u> that is operated, managed, or maintained under sponsorship of a nonprofit or for-profit organization. <del>Such uses provide , providing</del> beds for rent on a daily basis as in individual rooms or dormitories. <del>Such uses are</del> <u>and</u> typically characterized by low cost, shared use of a self-service kitchen, common areas, sleeping rooms, and bathroom facilities. This <del>type use</del> <u>use</u> does not include emergency shelters, rooming houses, single-room-occupancy housing, pre-release adjustment centers, or “halfway houses”.
Zoning Enabling Act	The Michigan Zoning Enabling Act, being MCL 125.3101 <i>et seq.</i>
Zoning Grant	A written decision and order of the Buildings, Safety Engineering and Environmental Department or the Board of Zoning Appeals approving a use or other requested action.

1       **Section 2.** All ordinances or parts of ordinances in conflict with this ordinance are repealed.

2       **Section 3.** This ordinance is declared necessary for the preservation of the public peace,  
3 health, safety, and welfare of the people of the City of Detroit.

4       **Section 4.** This ordinance shall become effective on the eighth (8<sup>th</sup>) day after publication in  
5 accordance with MCL 125.3401(6) and Section 4-118, paragraph 3, of the 2012 Detroit City  
6 Charter.

7  
8 Approved as to form:

9  
10   
11 Lawrence T. García  
12 Corporation Counsel  
13  
14

City of Detroit  
**CITY COUNCIL**

**HISTORIC DESIGNATION ADVISORY BOARD**

218 Coleman A. Young Municipal Center, Detroit, Michigan 48226

Phone: 313.224.3487 Fax: 313.224.4336

Email: [historic@detroitmi.gov](mailto:historic@detroitmi.gov)

**MEMORANDUM**

**TO:** Planning & Economic Development Standing Committee

**FROM:** Janese Chapman, Deputy Director  
Jennifer Reinhardt, Historic Preservation Planner

**DATE:** October 28, 2019

**RE:** **Status of 150 Bagley (United Artists Theatre Building)**

**Background**

At the September 26, 2019 meeting of the Planning and Development Standing Committee, two public hearings regarding the establishment of an Obsolete Property Rehabilitation District and Neighborhood Enterprise Zone for 150 Bagley (the United Artists Theatre Building) were postponed due to the developer, Bagley Development Group, being unable to attend. The building is owned by Olympia Development of Michigan.

At the rescheduled public hearings during the October 24, 2019 meeting of the Planning and Development Standing Committee, questions arose regarding the treatment of the historic theatre as the building is part of the Grand Circus Park Historic District and listed on the National Register of Historic Places. The developer stated that in the current redevelopment plan, the theatre building would be demolished as a condition for receiving a Section 221(d)4 loan from the U.S. Department of Housing and Urban Development (HUD). At that time, since neither Legislative Policy Division (LPD) nor Historic Designation Advisory Board (HDAB) staff had received any supporting documentation to this effect, Your Honorable Body requested that the developer submit the requested HUD materials to the Clerk's Office in order to provide a more complete analysis of the proposed redevelopment of 150 Bagley.

**Analysis**

Upon receipt of the October 2, 2019 letter from Gershman Mortgage to Bagley Development Group (attached here), both HDAB and LPD staff have determined that an application including the demolition of the theatre building has been submitted to HUD to receive a Section 221(d)4

loan. The approval of this loan application is contingent on obtaining approval from the State Historic Preservation Office (SHPO) as part of the Section 106 process. After requesting Section 106 documentation from the SHPO on October 24, 2019, LPD and HDAB staff were informed that the **SHPO has not been officially notified by HUD and thus no Section 106 review is currently underway to evaluate the proposed demolition of the theatre building.** HUD loan financing is contingent on the SHPO's final determination, which has not been made yet.

A separate application to obtain federal historic tax credit incentives has been submitted for the project. Additionally, as 150 Bagley is adjacent to the Grand Circus Park local historic district, the project requires an advisory review from the City of Detroit Historic District Commission (HDC). This review is scheduled to take place at the next regular November 13, 2019 meeting.

Upon review of the application materials made available by HDC staff, HDAB staff has determined that the demolition of the theatre building would result in twenty (20) surface parking spaces, a loading dock, and a small utilities building fronting Clifford Street. Additionally, the December 26, 2018 structural inspection report for 150 Bagley found the interior conditions of the theatre building to be "structurally deteriorated," but the **exterior conditions, including the roof and brick façade, are rated "good" and "fairly good," respectively.**

### **Recommendation**

It is the opinion of HDAB staff that more documentation, including the official Section 106 assessment from the SHPO, is required in order to adequately assess the impact of the proposed demolition as well as viable redevelopment opportunities for the theatre building at 150 Bagley. We also recommend obtaining an official opinion from the Planning & Development Department regarding their site plan review process, treatment of historic properties and surface parking in the downtown core, and adherence to the master plan of policies.

Respectfully submitted,

Janese Chapman  
Deputy Director

Jennifer Reinhardt  
Historic Preservation Planner

Attachment

CC: City Council  
City Clerk  
Legislative Policy Division  
Planning & Development Department



October 2<sup>nd</sup>, 2019

Mr. Emmett Moten  
Managing Member  
Bagley Development Group LLC

RE: Residences @ 150 Bagley  
221(d)4 Sub Rehab Loan

Dear Mr. Moten:

Gershman Mortgage has accepted your application to process a HUD-insured loan under Section 221(d)4 to fund the construction and permanent loan for the project captioned above. Gershman has submitted a Pre-Application and was successfully invited to submit a Firm Application to HUD on July 11<sup>th</sup>, 2019.

As part of Gershman's Pre-Application submission and HUD's approval of Gershman's application, the development was presented to Gershman and HUD such that the adjoining theater would be demolished. As part of Gershman and HUD's approval of the demolition, we will require appropriate approvals from the SHPO. It has recently come to Gershman's attention that there is consideration not to demolish the theater. Not demolishing the theater is a *material* change from the financing application that has been presented and approved of to date, and making this change will put the 221(d)4 financing at risk.

Gershman has grave concerns that keeping the theater building would be to the detriment of the successful completion and lease up of Residences @ 150 Bagley. Our concerns revolve around the below marketability aspects of the project:

1. It was anticipated that the cleared theater building would be used for parking spots for the residential tenants. Removing these spots adjacent to the project would make the project less attractive and less marketable to prospective tenants.
2. The theater building is dilapidated and not an attractive building to live next to. Gershman has concerns that tenants will not want to live in a Class A residential building adjoined next to a dilapidated building
3. If the theater building gets renovated and becomes operational again, Gershman has concerns that this adjoining commercial, public use would disrupt the residential tenants and therefore make the project less attractive and less marketable as a going concern.

With these reasons stated above, Gershman is unable to move forward with financing the Residences @ 150 Bagley if the proposed demolition plans of the adjoining theater building remains intact.

As the theater building is not part of Gershman's collateral of the mortgage as a condition of the 221(d)4 loan's closing, Gershman and HUD will require a cost estimate for the demolition of the theater along with either a cash escrow controlled by Gershman or an unconditional, irrevocable Letter of Credit accessible to Gershman for the cost of demolition to ensure that the demolition of the theater is completed during the construction of the Residences @ 150 Bagley.

Gershman Mortgage is very familiar with this form of financing with multi-layered sources of funds. We have recently closed similar transactions in Michigan, Nebraska, Missouri, Kansas, Georgia, and North Carolina.

If you have any questions in regard to the information provided above, please call me at (314) 889-0694

Sincerely,  
GERSHMAN MORTGAGE

A handwritten signature in blue ink, appearing to read 'Adam Hendin', is written over a printed name and title.  
Adam Hendin  
Vice President

**City of Detroit**  
**CITY COUNCIL**

**HISTORIC DESIGNATION ADVISORY BOARD**

218 Coleman A. Young Municipal Center, Detroit, Michigan 48226

Phone: 313.224.3487 Fax: 313.224.4336

Email: [historic@detroitmi.gov](mailto:historic@detroitmi.gov)

TO: Planning and Economic Standing Committee

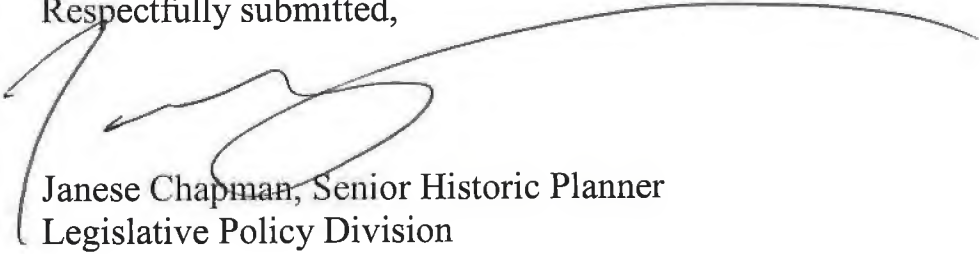
FROM: Janese Chapman, Senior Historic Planner

DATE: October 29, 2019

RE: **Extension of study period for the proposed Aretha Franklin Amphitheater/Chene Park Historic District**

The study by the Historic Designation Advisory Board of the proposed Aretha Franklin Amphitheater/Chene Park Historic District is currently underway. It would appear that to provide time for the completion of this process that it is necessary to extend the study period for this proposed historic district. A resolution is attached for your consideration.

Respectfully submitted,



Janese Chapman, Senior Historic Planner  
 Legislative Policy Division

Cc: City Clerk  
       David Bell                      Director, BSEED  
       Marcell R. Todd Jr.        Director, City Planning Commission  
       David Whitaker            Director, Legislative Policy Division

BY \_\_\_\_\_

**NOW BE IT RESOLVED** that in accordance with the forgoing communication, the period of study for the proposed Aretha Franklin Amphitheater/Chene Park, located at 2200/2600 East Atwater Street, established by resolution on October 23, 2018 is hereby extended to March 31, 2020.

22

**City of Detroit**  
**CITY COUNCIL**

**HISTORIC DESIGNATION ADVISORY BOARD**

218 Coleman A. Young Municipal Center, Detroit, Michigan 48226

Phone: 313.224.3487 Fax: 313.224.4336

Email: [historic@detroitmi.gov](mailto:historic@detroitmi.gov)

October 29, 2019

HONORABLE CITY COUNCIL


**RE: Petition # 1661 Historic Designation Advisory Board submitting its final report recommending designation and proposed draft ordinance designating the proposed Aretha Franklin Amphitheater/Chene Park Historic District (For Introduction of Ordinance and setting of public hearing)**

At the direction of the Historic Designation Advisory Board (HDAB) at its meeting of June 20, 2019, we are pleased to submit to Your Honorable Body the board's final report on the proposed Aretha Franklin Amphitheater/Chene Historic District. The recommendation of the Advisory Board is for designation and, therefore, a draft ordinance of designation is attached. The ordinance has been approved as to form by the Law Department.

Ad Hoc members of the Advisory Board for this study were Bernice Leatherwood and Harriet Saperstein. Both representatives recommend designation.

If you should have any questions, please contact HDAB staff at (313) 224-3487.

Respectfully submitted,



Janese Chapman, Deputy Director  
Historic Designation Advisory Board

**Attachment**

cc: City Clerk  
Marcell Todd, Director, CPC  
David Whitaker, Director, LPD  
David Bell, Director, BSEED  
Historic District Commission

2019 OCT 29 PM 4:02

# City of Detroit

## CITY COUNCIL

### **HISTORIC DESIGNATION ADVISORY BOARD**

218 Coleman A. Young Municipal Center, Detroit, Michigan 48226

Phone: 313.224.3487 Fax: 313.224.4336

Email: [historic@detroitmi.gov](mailto:historic@detroitmi.gov)

Draft Final Report

**Proposed Aretha Franklin Amphitheater/Chene Park Historic District**

**2200/2600 East Atwater Street**

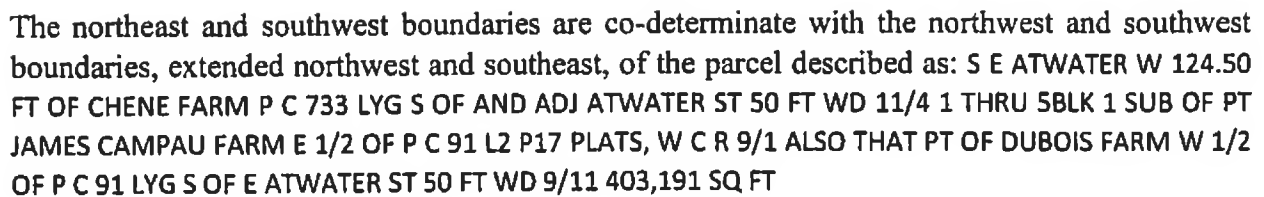


By a resolution dated October 23, 2018, the Detroit City Council charged the Historic Designation Advisory Board, a study committee, with the official study of the proposed Aretha Franklin Amphitheater/Chene Park Historic District in accordance with Chapter 25 of the 1984 Detroit City Code and the Michigan Local Historic Districts Act.

The proposed Aretha Franklin Amphitheater/Chene Park Historic District consists of a single 9.3 acre parcel owned by the Detroit Recreation Department and contains a covered amphitheater with a stage, seating and an adjacent multi-level pavilion. Other features include a ticket booth, small

The proposed historic district is located on the East Riverfront at the foot of the Detroit River approximately 1.25 miles east from the city center and near the intersection of East Atwater and Chene Streets, addressed as both 2200 and 2600 East Atwater Street. It is situated along the Detroit Riverwalk within the Rivertown-Warehouse District neighborhood and is west of Belle Isle, south-east of the Lafayette Park historic district, and adjacent to the William G. Milliken State Park and Harbor. The surrounding area features scattered industrial buildings, many of which have been converted into residential lofts and offices.

The boundaries of the proposed Aretha Franklin Amphitheater/Chene Park Historic District are outlined in heavy black on the attached map, and are as follows:



John Hall

The northwest boundary is the centerline of East Atwater Street.

The southeast boundary is the Detroit harbor line.

### Boundary Justification

The boundaries described above consist of the original boundaries of the land purchased by the City of Detroit in 1979 to create Chene Park and includes the entire parcel.

## **HISTORY**

### Significance Statement

The proposed Aretha Franklin Amphitheater/Chene Park Historic District is significant at the local level under National Register Criteria A for Community Planning and Development for its association with local planning efforts to reclaim and redevelop the Detroit Riverfront for public use and to support economic development by enhancing the local entertainment industry with a riverfront music venue. As Chene Park, it had the distinction of being the first phase of the Linked Riverfront Parks Project.

Its period of significance is defined as 1982, when the groundbreaking ceremony took place, to 1990, when the park was reopened after undergoing site improvements.

### Early History of the Detroit Riverfront

Archeological evidence suggests that Native American tribes lived along the Detroit River as early as A.D. 750.<sup>1</sup> By the 1600s, the Anishinaabe, Wyandot, Iroquois, Fox, Miami, and Sauk tribes used the Detroit River as a place to hunt and gather. Many of the early Native American trails now trace Detroit's major arterial roadways, including East Jefferson Avenue.

The French were the first Europeans to arrive to establish Fort Pontchartrain du Détroit in 1701 as a permanent military outpost and fur trading center with the Native Americans along the narrowest part of the strait between Lake Erie and Lake Huron. Within the first decade, the French divided land along the waterways east of the fort into *ribbon or strip farms*. The long narrow plots of land guaranteed water access to a maximum of settlers who farmed the land. The first grants for the ribbon farms were located east of the fort. Many of these early land grantees are memorialized in the street names that still run to the riverfront around the proposed Aretha Franklin Amphitheater/Chene Park Historic District like Chene, Joseph Campau, Dubois and St. Aubin. Water access supported a bountiful farming community and the close proximity of housing along the water's edge provided security from frontier attacks.

---

<sup>1</sup> State of Michigan Registry of Historic Sites, #S0704.

Farming flourished much of the nineteenth century until industrialization took hold in the later part of the century. Silas Farmer's *1890 History of Detroit and Wayne County and Early Michigan* noted that Michigan's manufacturing industry was supported by the abundance and quality of its iron, copper and lumber resources. Michigan possessed the largest deposits of quality iron, had the largest copper smelting works, and produced more lumber than any other state in the United States at the close the nineteenth century.

By 1885, the Detroit riverfront proved an ideal link for shipping Michigan's abundant natural resources to America's eastern shore. The riverfront vicinity east of St. Aubin and west of Belle Isle had transformed to predominantly lumber yards and its related industries. The area associated with the Chene Park parcel was owned by Moffat Eatherly and Company Lumber and Detroit Lumber on 1885 and 1911 maps, respectively, and the general area was filled with holding and staging areas for the lumber industry. Hugh Moffat (1810-1884), founder of Moffat Eatherly and Company Lumber, had come to the "City of the Straits" in 1837.<sup>2</sup> He started as a carpenter and moved into the lumber trades in 1852. He served as the Mayor of Detroit from 1872 to 1876 and formed a partnership shortly thereafter with his son, Addison and Florance Darling Eatherly for the lumber company in 1878. A sawmill is the only known building on early maps (1885-1923) where the proposed Aretha Franklin Amphitheater/Chene Park Historic District is now located. The sawmill was noted in Silas Farmer's Biographical Edition of the *History of Detroit (1889)* as one of Moffat's "last enterprises" and considered one of the best in the state of Michigan.<sup>3</sup>

At the beginning of the twentieth century, Detroit had become a bustling city, amassing a population of more than 2 million. With Detroit's strategic connection to the Great Lakes, manufacturing and commerce along the riverfront thrived during the first half of the twentieth century. Several maps from 1885 to the 1920s reveal a shift in the riverfront industries from lumberyards to ship and railroad car building companies and various industries associated with iron, steel, and coal products. The 1897 Sanborn map shows a dry dock located where the Aretha Franklin Amphitheater/Chene Park parcel is today and the 1923 Baist Atlas map indicates that the Imperial Ship Company acquired most of the parcel with sandyards flanking both sides. These sandyards eventually become Medusa Concrete and Petoskey Portland Cement Company/Penn-Dixie Company servicing trade routes from Detroit along the Great Lakes to destinations in Northern Michigan, Chicago, Milwaukee, Toledo, etc.

### Early City Planning Efforts for the Detroit Riverfront

With the rapid growth of urban industrialization, Americans began to seek ways to improve city living and address the increasing pollution, population, and public health concerns. Society's upper classes were the first to champion for city parks as places contributing to better health. After 1900, supporters of social reform also held that parks were a healthier alternative than going to saloons

---

<sup>2</sup> Farmer, Silas. *The History of Detroit and Michigan or "The Metropolis Illustrated."* 1889, Biographical Edition.

<sup>3</sup> Two previous mills occupied the site, the first burned and the second was removed for the one described in the 1889 book.

to socialize. The concept of large urban parks promoting a better quality of living started in England in the early 1800s and was imported to New York City when Frederick Law Olmsted and Calvert Vaux won a competition for their design of Central Park. Frederick Law Olmsted (1822-1903) became America's most well-known landscape architect, going on to design numerous parks nationwide during his career including Detroit's Belle Isle in the 1880s as the country's largest city island park (although not fully realized according to Olmsted's vision).

After Belle Isle Park was established in 1845, parks were included in subsequent Detroit Master Plan of Policies. Noted architect and city planner Edward H. Bennett was commissioned by the Detroit City Plan and Improvement Commission to conduct the 1915 Preliminary Plan of Detroit. Bennett was well known for his association and collaboration with Daniel Burnham on the 1909 Chicago City Plan for which he designed Grant Park. After the 1915 Preliminary Plan of Detroit was published, the City Plan Commission was created to formalize a comprehensive plan to make greenspace recommendations for "the development of parks, recreation areas, boulevards, and the riverfront." Those recommendations led to a 1927 approved Master Plan that included an idea to create a Riverside Drive near the Detroit River complete with networked parks. Unfortunately, though the networked parks concept was brought forward, Riverside Drive never met fruition.

City planning efforts for parks and recreation development along the Detroit River gradually increased in scope; the 1947 Master Plan included the riverfront from the Central Business District to the eastern city limits at Alter Road and the 1965 Master Plan included the entire riverfront.<sup>4</sup> Emphasis on the waterfront as an important advantage for industrial development remained prevalent, although the 1963 Port of Detroit Riverfront Study prepared for the Area Redevelopment Administration for the U.S. Department of Congress concurred with the city's objective to orient "long-range planning for the waterfront area east of the Civic Center to light industrial, commercial, or residential/recreational purposes."<sup>5</sup>

As was the case in many other American cities, economic changes included a major decline in manufacturing infrastructure within Detroit after WWII. As manufacturing plants moved to the outer reaches of suburbs made accessible by an expanding freeway system, the loss of manufacturing infrastructure was detrimental to a much needed tax base. As manufacturing left Detroit, vast areas of the city were abandoned and in some places heavily polluted.

### Linked Riverfront Parks Project

Mayor Coleman A. Young (1974-1994) took office in 1974 amid many challenges generated by a declining tax base. Mayor Young believed that the revitalization of the downtown riverfront using private and public partnerships with federal, state and local funds would spur additional economic and community development. During his initial run for office, Mayor Young emphasized his desire

---

<sup>4</sup> 1973 Detroit Master Plan

<sup>5</sup> 1963 Port of Detroit Riverfront Study

to revitalize the riverfront between the Ambassador Bridge in Southwest Detroit and the MacArthur Bridge leading to Belle Isle. The opening of Hart Plaza in 1975 and the Renaissance Center in 1977 served as anchors for his urban policy agenda.

Shortly after Mayor Young took office, an \$80,000 Coastal Zone Management federal grant was awarded to provide funding for a riverfront revitalization study that would serve as the foundation of the Linked Riverfront Parks Project to “link” the Central Business District to Belle Isle along the Detroit riverfront. The Coastal Zone Management Act was passed by Congress in 1972 to provide funds to assist with planning efforts to develop wise use of coastal areas across the county, including the Great Lakes. The City of Detroit Recreation Department under Director Leon Atchison selected Detroit based architectural firm Schervish, Vogel, Merz PC (SVM) to work with Project Manager Harriet Saperstein to prepare the cohesive riverfront redevelopment plan after a request for proposal went out to the public.

Mayor Young formally introduced the Linked Riverfront Parks Project in his *Moving Detroit Forward...for Urban Economic Revitalization Plan* in 1977. Mayor Young’s comprehensive five-year plan for revitalizing the city included repurposing abandoned areas of the riverfront for general public use through public and private investment. The Plan was presented to President Jimmy Carter (1977-1981) in June of 1977 by an alliance of business and local government officials that included General Motors Corporation Chairman Thomas A. Murphy, City Council president Carl Levin, and U.S. Representative Charles Diggs as a sign of solidarity for the ambitious 2.5 billion dollar project. On October 31, 1979 the public was presented the *Executive Summary of the Linked Riverfront Parks Project*.

Due to the close professional association between Mayor Young and President Carter Detroit was well positioned to capitalize on the Urban Development Action Grant (UDAG) funding package to assist American cities. The UDAG program was created by the Housing and Community Development Act of 1977 to promote economic development to distressed cities and urban counties through the stimulation of private investment, which would create permanent jobs and expand the tax base. Mayor Young believed that capturing these funds would help Detroit take major steps to transform significant portions of the historic riverfront from industrial use to public recreational use, which would then spur economic development. Detroit successfully received “\$107 million in grants, more than any other city in the nation, for sixteen development projects, many of them along the riverfront.”<sup>6</sup>

---

<sup>6</sup> Young, Coleman and Lonnie Wheeler. *Hard Stuff: The Autobiography of Mayor Coleman Young*. Page 225.

## Chene Park

Mayor Young's *Moving Detroit Forward...for Urban Economic Revitalization Plan* made commitment to "re-establish the waterfront as the physical image of the city,"<sup>7</sup> and called for a riverfront outdoor music theater component to be included within the Linked Riverfront Parks Project. He envisioned an urban waterfront music venue that would rival the suburban Pine Knob Theater<sup>8</sup> to support Detroit's rich musical heritage and entertainment industry. Detroit's 1981 Riverfront Redevelopment Plan included a \$1.2 million budget to redevelop Chene Park with an updated amphitheater and pavilion that would allow for larger acts. Chene Park proved to be the ideal choice for Detroit's first riverfront entertainment venue with its scenic location. The stage is ideally located near the Detroit River's edge, offering patrons sweeping views of Canada and boaters floating behind the stage area.

A Federal Land & Water Conservation Fund Grant<sup>9</sup> provided funds to purchase three water related outdoor recreation sites on the Detroit River. Detroit used a portion of the \$2.3 million grant to acquire seven parcels along the Detroit River that became the single Chene Park parcel in 1979. The seven purchased lots once included French granted land from the original ribbon farms of the Chene, Campau and Dubois families. These three sites or nodes<sup>10</sup> were named for their locations at the foot of Chene, St. Aubin and Mr. Elliott streets and were to be constructed in phases starting with the Chene site, which required the least amount of prep work because it lacked buildings and was used mostly for storage. The three parks were to be linked for pedestrians, bicycles and automobiles via pathways, parking and public transportation access.

Ground breaking for the park occurred on June 16, 1982 with Detroit Councilwoman Erma Henderson, Mayor Young and Detroit Recreation Department Director Daniel Krichbaum officiating. As the lead project landscape architect, David Schervish "treated the park as an environmental sculpture"<sup>11</sup> and contoured the flat parcel with berms to disguise the remaining concrete companies that still flanked each side. Despite the early 1980s recession with double digit interest rates the project moved slowly forward. Chene Park opened in 1984 and was expanded a short time later in 1986 and again in 1990.

Mayor Young's idea that the tax base would be increased if the city converted the riverfront with public and private money was materialized. Hart Plaza was one of the first of his riverfront endeavors, completed in 1975, and drew 6.5 million visitors to its ethnic festivals and other events like the annual fireworks show within five years.<sup>12</sup> By the fall of 1987, the \$20 million in public

---

<sup>7</sup> Executive Summary Linked Riverfront Parks Project. Pg. 1.

<sup>8</sup> Now known as DTE Energy Music Theater in Clarkston, Michigan.

<sup>9</sup> Detroit Free Press. *U.S. Aid Due for Rink on Belle Isle*. 29 Nov 1975.

<sup>10</sup> Nodes are activity centers related to development and recreational use. (Urban Planning term)

<sup>11</sup> The Detroit News. *Chene Park: success in the city*. 2 Oct 1984.

<sup>12</sup> Detroit Free Press. *Downtown's on the Upswing*. 2 Oct 1981.

funds within the Linked Riverfront Parks Project limits had stimulated nearly \$220 million in private funds for housing, office and commercial recreation development.<sup>13</sup>

Ron Alpern was hired by the Detroit Recreation Department as the Chene Park Programs Coordinator in 1984. Alpern's efforts to market Chene Park as a "festival park" featured both performing and visual arts. Unlike Hart Plaza that featured free public programming, Chene Park's original vision was to be a ticketed venue like Pine Knob Theater, but covenants were placed on the property as a result of the funding and required a percentage of the programming to be free for citizens. Alpern successfully garnered contributions from major businesses like Ford Motor Company, Stroh Brewery and Coca-Cola Bottlers of Detroit, who sponsored concerts and special events. A free Saturday Children's series was offered for several summers that included music, magic, storytellers and puppeteering. In 1985, the Detroit Recreation Department was awarded the Michigan Recreation and Park Association Innovative Park Resource Award for his contribution to Chene Park programming.

In addition to the Park's main emphasis as a performing arts venue, the Detroit Recreation Department included a visual arts component. To support marketing efforts on a limited budget and to keep the new park in the public light, bike tours showcasing the riverfront used Chene Park as its starting location. With the assistance from the Junior League of Detroit and the Michigan Council of the Arts, Chene Park became the site of arts exhibits. In the summer of 1984, an "Artist in Residence" program was held using the newly prepped site as a blank canvas for showcasing pieces of art in collaboration with the Detroit Artist Market. Artists were on hand each weekend between June and August to educate visitors about their art. After the program was completed the two pieces of artwork on display in Chene Park were purchased and remain on display.

Jazz has played the pronounced role of musical concerts since opening in 1984. Jazz guitarist Ron English was the headliner act for the Ribbon Cutting Ceremony with Mayor Young on August 10, 1984 and Chene Park was one of several concert venues during the Montreux Jazz Festival in 1986. Other noted jazz artists include saxophonist Ornette Coleman and singer Carmen McRae who drew more than 5,000 people with a standing room only crowd. The Detroit jazz station WJZZ was a regular sponsor for jazz events and a Wednesday Night Jazz Series has become a tradition under the direction of The Right Productions CEO and President Shahida Mausi and has been held every functional year of the park's existence.

Renowned talent such as Smokey Robinson, B-52s, Manhattan Transfer, Anne Murray, Robin Thick, Miles Davis, and Aretha Franklin have performed at Chene Park. The comedian Sinbad was the opening act on the 4<sup>th</sup> of July, 1990, after the last expansion grand opening. Classical music has also been an important musical component and the Detroit Symphony Orchestra played in Chene Park after Ford Auditorium was closed. The free Special Sundays Program featured orchestra music, folk, blues, bluegrass and a variety of other world music and dancing.

---

<sup>13</sup> Saperstein, Harriet. *Recreation Department Leads the Way*. Michigan Planner. Fall 1987.

The Aretha Franklin Amphitheater has an annual attendance of 150,000 people each year and it has achieved international acclaim as one of the world's highest ranked amphitheaters.<sup>14</sup> In August 2018, numerous artists from Motown, Rhythm & Blues (R&B), Jazz, Bluegrass, Folk, Gospel, and Dance gathered at Chene Park to pay tribute to Aretha Franklin with a free concert the night before her funeral. On December 5, 2018, Chene Park was officially renamed the Aretha Franklin Amphitheater/Chene Park by Detroit City Council. The Aretha Franklin Amphitheater will host an Aretha Jazz Series on Wednesdays during the 2019 season.

## ARCHITECTURE

### Architecture Firm: Schervish, Vogel, Merz

Schervish, Vogel, Merz PC (also known as SVM) was a Detroit-based architecture and landscape architecture firm established in 1978 with a special emphasis on urban planning and historic preservation. Notable projects include the renovation of the McGregor Carriage House on Woodbridge Street in the Rivertown-Warehouse District for their business office as well as developments in Harmonie Park and Marina Village, Atwater Landing Revitalization and the Lofts at Rivertown.<sup>15</sup> In 1995 the firm was sold to Albert Kahn and Associates.

SVM worked on the Linked Riverfront Parks Project for twelve years that included the original planning, construction, and the major expansion completed in 1990. Rainy Hamilton is credited with the design of the Chene Park pavilion after he graduated from the University of Detroit Architecture School and joined the firm, later becoming a partner. Each principal took on the role as principal-in-charge and project designer of one of the linked parks after working on the Master Plan together for a year. David Schervish was the lead for Chene Park, Stephen Vogel-St. Aubin Park (now the William G. Milliken State Park and Harbor) and Charles Merz-Mt. Elliott Park.

Each park reflects a different aspect of the Detroit River. Chene Park relates a connection between its past industrial landscape and its connection to modern architecture. St. Aubin Park (now part of William L. Milliken State Park and Harbor) celebrates Detroit's Great Lakes traditions and history through a series of interpretive elements and display, like "The Black Presence in Detroit" commemorative wall. Mt. Elliott Park focuses on the industrial history of Detroit.

SVM has received several accolades for Chene Park over time including awards for its design from the Detroit and Michigan Chapters of the American Institute of Architects, the Michigan American Society of Landscape Architects and the Michigan Society of Planning Officials. In 1987 SVM received the prestigious Detroit American Institute of Architects Allied Arts Award and in 2019 the Michigan American Institute of Architects 25 Year Honor Award.

---

<sup>14</sup> By Pollstar, a trade publication for the music industry.

<sup>15</sup> The 1989 adaptive reuse of a former pharmaceutical complex to condominiums. Frederick Stearns Building (1989) located at 6533 East Jefferson.

## Description

Overall the park has an organic sculptural feeling. Circles, semicircles and wave patterns are used to connect the river to the land. The landscape architects' vision of linking the park from the Renaissance Center to Belle Isle suggest its past relationship to an industrial landscape and a new connection to modern architecture of the Renaissance Center.<sup>16</sup> Walkways curve and flow around the property allowing for visitors to pause for scenic vistas of the interplay of the property landscape, artworks, and views of the Detroit River and Canada beyond. Earth berms, on each side of the park, once used to provide screening for the past industries that once occupied the riverfront, have slowly been purchased and are being converted to public use. Mature trees planted as part of the original design suggest the riverfront has always been a natural landscape. A semicircular pond covers approximately two-thirds of the frontage with East Atwater Street making the connection to Bloody Run Creek that once flowed into the Detroit River nearby, but has since been enclosed and incorporated into the modern sewer system.<sup>17</sup>

The Aretha Franklin Amphitheater/Chene Park Historic District is approached at the intersection of East Atwater and Chene streets by a circular *Entry Plaza* that is then connected to a straight promenade labeled *The Mall* leading to the circular *Festival Plaza* near the edge of the Detroit River.<sup>18</sup> The entry plaza consists of a series of circular concrete slabs with six concentric circles of varied width in natural shades of dark gray, beige, and white. There are six total planters approximately two feet high in the circle constructed of rough textured concrete, three on each side consisting of two square planters separated with an arched planter. The circular patterns are reminiscent of the concrete silos that served as inspiration for the architects and the rough textured concrete is intentionally used throughout the park on planters, wall, and stairs to simulate the surfaces of the Renaissance Center.<sup>19</sup> Removable bollards at the front of the Entry Plaza provide security and prevent vehicles from entering the property when in place.

Meandering pathways and landscaping along the venue, pond and riverfront complete the park and tie the entire landscape together. Pathways are well-lit and lined with the same lampposts found along the Mall, pavilion and riverfront. A paved area in back of the stage can be used for special event accommodations directly adjacent to the river. Numerous round concrete planters approximately one to three feet high are found along walkways and are constructed of gray rough textured concrete. Berms flank each side of the property and were planted with mature deciduous and evergreen trees taken from the Rouge Park Nursery to help buffer the park with its industrial neighbors when it was originally constructed.

---

<sup>16</sup> Email from David Schervish 26 Mar 2019.

<sup>17</sup> Stephen Vogel interview. The only remaining section of Bloody Run Creek that has not been enclosed and integrated into the sewer system is in Elmwood Cemetery near Mt. Elliott and E. Lafayette Streets.

<sup>18</sup> Entry Plaza, The Mall, and Festival Plaza are the place names referred to in the 1986 Expansion Plans that were completed in 1990.

<sup>19</sup> Interview with David Schervish and Rainy Hamilton 15 Feb 2019.

Beyond the Entry Plaza entrance, the Mall continues straight southeast to the river and consists of a small three foot high silver wave-shaped directional sign on the right side. The sign is marked "Chene Park" and points toward the main gated entrance. The walkway consists of large gray and white rectangular slabs of concrete in an offset wave pattern, separated by perpendicular bands of dark gray concrete. The Mall is well lit with eight silver metal lampposts, four on each side, eight silver metal triple seat benches, four on each side and two silver metal trash receptacles. Lampposts are approximately ten feet high and consist of a shaft with a flat LED light mounted on a four prong head. Benches are silver metal with three seats separated with arched circle armrests. Trash receptacles are vented with vertical cutouts to resemble the rough textured concrete. The grassy area flanking the plazas and the Mall are utilized for vendors to set up tables and erect tent structures to line the pathways during events. A manmade berm with mature trees and plantings extends the length of the Mall, which ends at the Festival Plaza near the edge of the Detroit River. A large six foot high silver wave-shaped directional sign on the left side between the Mall and Festival Plaza announces the river promenade area. The Festival Plaza is similar, but slightly smaller than the Entry Plaza with only five concentric circles of dark beige, dark and light gray. The 1984 three-piece artwork *Carnival* by John Piet is showcased in the center circle.

To the east of Festival Plaza are eight small, medium, and large white rectangular slabs separated by gray perpendicular bands used for special event seating and dining. The first three medium sized slabs have a centered elevated landscaping area approximately two feet high like the Entry Plaza with rough textured concrete and are slightly offset halfway into the slab. There are ten lampposts and two trash receptacles similar to those located on The Mall. A small three foot high silver wave-shaped directional sign on the left side is next to a ten foot long square concrete bench approximately one and a half feet square.

A manmade L-shaped freeform shaped pond runs parallel to East Atwater Street for 450 feet before turning toward the Detroit River for an additional 300 feet. A fountain is located in the center of the 300 foot stretch of the pond. The pond fronting East Atwater Street provides a barrier from the street and was later incorporated with fencing and gateways that help secure the stage and amphitheater areas. An *Exit Plaza* on the far west side of the pond and just outside the fence was added as part of the 1986 expansion at Dubois Street with three concentric circles of white, beige, and dark gray and outlined by a short two-foot wall of rough textured concrete and fronted with the same removable steel bollards as the entry plaza. A back gate on the west side of the property provides access to the City of Detroit Water & Sewage Department building and administrative office.

The Entry Plaza, the Mall, Festival Plaza and the area east of Festival Plaza are ungated and have flowing walkways along the pond near the gated entrance and a promenade along the edge of the Detroit River. The promenade fence along the River is mounted to the 1982 seawall that was the park's first improvement. The fence is constructed of vertically oriented horizontal panels supported between silver metal cylinders.

The main entrance to the Aretha Franklin Amphitheater/Chene Park Historic District consists of a gate secured by metal bars that leads to a fenced area west of Festival Plaza and between the pond and Detroit River. Just inside the fenced area is a small oval one-story concrete building for selling merchandise. A second piece of artwork from 1984, *Lattice Form* by Raymond L. Katz is located immediately to the right in front of the multi-level pavilion. Walkways inside the gated area are of natural gray concrete and organically flow to and from the amphitheater area and along the pond and rear perimeter of the property.

Located in the southwest quadrant of the parcel is the prominent covered amphitheater and pavilion structure that are connected by a 40-foot tall hill that slopes downward to the stage area.<sup>20</sup> The amphitheater consists of a round flat 30 foot concrete stage flanked by two twenty-foot wings at ground-level with a metal fence blocking off access to the Detroit River. The stage is covered by a large Teflon coated–fiberglass tensile structure supported by four rough textured gray concrete support columns that act as the base for the main stage house framework and mechanical space. The fixed seating is covered by the tensile structure which is supported by nine inverted “V” concrete structures along the outside, seven at the top of the hill create a fan-shaped roof structure and one on each side help anchor each side. Inside and underneath the tensile roof structure are three fixed slightly-diagonal steel support towers that are fluted at the top and provide a catwalk and open half cage area for mounting the lighting and audio equipment.

The asymmetrical multi-level pavilion is directly adjacent and north of the amphitheater and consists of a series of circular and semicircular concrete structure segments. It is arranged with multiple stacked round silo-shaped structures with exterior gray rough texture concrete finishes and houses the concession stands, restroom facilities, private event space and mechanical operations. Between the period of 1984 and 1990, the pavilion was expanded from three-levels to five-levels with four new concession and two new restroom facilities that extended the original accommodations seven-fold.<sup>21</sup> Dressing rooms for the performers were moved from the bottom level floor of the pavilion to the administrative building when it was built circa 2000. The pavilion pattern slopes up and over the crest of the hill with hardscape areas of solid rough textured cylinders resembling piers that slope down to the pond framing the landscaped area. This area once featured a water feature but is now closed. A treble clef note by artist Keith Jackson from 2018 is near the bottom by the pathway.

On the east elevation, a ticket booth currently stands at the southeast corner of Chene and East Atwater Streets and is a green rectangular, steel and composition board, one-story flat roofed building on a slab foundation. The ticket booth façade has three ticket windows, a door, and two signs denoting it is Chene Park and the Chene Park Box Office. Located to the right of the entry is a fifteen foot high venue sign revealed on May 17, 2019 labeled with the newly renamed *Aretha Franklin Amphitheater*. The park was renamed for the famous singer by Detroit City Council on November 15, 2018. The dark gray metal sign is topped with a wave detail followed by the name above a changeable electronic billboard.

---

<sup>20</sup> The 15 foot hill was first created in 1984 using dirt fill from the adjacent pond, and concrete rubble salvaged from the recently demolished Dodge Main Plant that was capped with clay. The hill was expanded to the current 40 feet by 1990 utilizing soil from the construction of the nearby St. Aubin marina.

<sup>21</sup> Riverfront Music Theater at Chene Park Fact Sheet and Media Release. June 1990.

On the west elevation of the parcel is an *Exit Plaza* located between the fence and East Atwater Street immediately west of the pond. The *Exit Plaza* has three concentric circles of dark gray, beige and white concrete and removable bollards for limiting vehicle access. Immediately west of the *Exit Plaza* are two buildings accessed via a mechanical gate and roadway leading off East Atwater Street. A circa 2000 one-story building operated by the City of Detroit Water and Sewage Department is comprised of light-beige concrete block and capped with a turquoise-colored metal roof with glass block windows forming a triangle in the gables. Directly adjacent to the building is the administrative office for the park located next to the Detroit River. The administrative building is a rectangle building with a half round building added to the length of the rectangle building which faces the river. The recessed main entry to the administrative building faces west and houses the offices of the venue operator, The Right Productions. The administrative building consists of four rooms in the half circle area and four dressing rooms in the back rectangular section of the building.

### Art Objects

Two of the art objects are original to the 1984 opening of Chene Park. The artworks were part of a twelve artists' sculpture exhibit, *Installation/Outdoor Sites*, hosted May 26-June 23, 1984 in Chene Park. In collaboration with the project landscape architect, David Schervish and an advisory committee, five of the pieces were considered for permanent residency. The two pieces available for viewing were selected from the field of five.<sup>22</sup>

#### *Carnival* by John Piet (1984)

Located near the edge of the Detroit River at the end of the main entry promenade, in the ungated section of the park, *Carnival* is an eighteen foot tall three-part polychrome steel sculpture. Circular and semicircular motifs connect those same motifs that served as the inspiration for Chene Park. It was originally painted blue, green and red but is now painted light gray.

John Piet (1946- ) received art degrees from the Detroit Society of Arts and Crafts (name changed to Center for Creative Studies in 1975 and Wayne State University. Piet taught art at Macomb County Community College from 1976 to 2010.

#### *Lattice Form* by Raymond L. Katz (1984)

Located just inside the main gate to the right is *Lattice Form*, a white, nine and a half foot tall, semi-circular steel lattice artwork. *Lattice Form* follows the semi-circular theme alongside the similar lines of the pavilion directly adjacent. The see-through quality of the artwork is used to enjoy views of the river and landscaping behind the piece.

---

<sup>22</sup> Detroit Recreation Department Artworks Inventory. Three ring binder.

Raymond L. Katz (1938- ) received a Master of Fine Arts in Sculpture from Wayne State University in 1968 and his pieces are typically credited to Ray Katz. He has had a prolific career and fabricated numerous public sculpture artworks that were displayed in several states and countries, including Japan and France. Katz specializes in abstract art and he prefers to work with metal for its durability and beauty.<sup>23</sup>

Two recent pieces of art that are noncontributing to the proposed historic district are a three foot high treble clef note near the base of the pavilion by Keith Jackson placed in 2018 as part of local Detroit Council of the Arts grant. In addition, a chair from the estate of Dr. Maya Angelou (1928-2014) resides in The Right Production office of CEO Shahida Mausi with a handmade book for cultivating special memories of those invited to sit in Dr. Angelou's inspirational chair.

## CONTRIBUTING AND NON-CONTRIBUTING RESOURCES

The following resources are identified as contributing and non-contributing to the Aretha Franklin Amphitheater/Chene Park Historic District-See Site Map on Page 16.

### Contributing resources

A	Entry Plaza
C	The Mall
D	Festival Plaza
E	Artwork- <i>Carnival</i>
F	Pond
G	Artwork- <i>Lattice Form</i>
H	Pavilion
I	Tensile Roof
J	Stage
M	Exit Plaza

### Non-contributing resources

B	Ticket Booth
K	Administrative Office
L	Water & Sewage Building

## CRITERIA

The proposed historic district appears to meet the National Register Criteria A at a local level:

<sup>23</sup> [http://raykatzsculptor.com/studio/artist\\_statement](http://raykatzsculptor.com/studio/artist_statement). Accessed 22 March 2019.

- A) That are associated with events that have made a significant contribution to the broad patterns of our history; and

Furthermore, the proposed historic district meets the National Register Criterion Consideration G: Properties That Have Achieved Significance Within The Last Fifty Years and appears to meet the exceptional importance rule for its significance as the culmination of twentieth century urban planning theories to reclaim and redevelop the Detroit Riverfront for public use and support economic development by enhancing the local entertainment industry with a riverfront music venue.

## COMPOSITION OF THE HISTORIC DESIGNATION ADVISORY BOARD

The Historic Designation Advisory Board has nine members, who are residents of Detroit, and two ex-officio members. The appointed members are Melanie Bazil, Naomi Beasley-Porter, Carolyn Carter, Keith Dye, Louis Fisher, Zené Fogel-Gibson, Theresa Holder-Hagood, Calvin Jackson, and Joseph Rashid. The ex-officio members, who may be represented by members of their staff, are the Director of the City Planning Commission and the Director of the Planning and Development Department. Ad hoc members for this study are Bernice Leatherwood and Harriet Saperstein.

## BIBLIOGRAPHY

Bennett, Edward H. *"Preliminary Plan of Detroit-together with Sketch Plans for a new bridge to Belle Isle by Cass Gilbert, Architect"* Detroit City Planning and Improvement Commission. 1915.

Burton, C.M., "Cadillac's Village" or "Detroit Under Cadillac": with list of property owners and history of the settlement, 1701-1710. 1896.

Chene Park Amphitheater, and The Right Productions, Inc. website. Accessed January 2019 from <https://cheneparkdetroit.com>

*Detroit Free Press,*

15 Feb 1976 Public Notice of Public Hearing for acquisition of the 3 sites on March 2, 1976

10 Feb 1978 "30 Acres Linked by Bike Paths"

28 Mar 1978 "Carter Asks for \$8.3 Billion To Save America's Cities"

18 Feb 1979 "10 miles riverfront?"

14 Aug 1980 Legal Notice - Riverfront Acquisition FONSI for 8 Parcels east of Jefferson, both sides of Chene St

02 Oct 1981 "Downtown's on the upswing"

30 Jan 2016 "How do you develop Detroit's 400 acre riverfront?"

*Detroit News,*

2 Oct 1984 "Chene Park: success in the city"

Detroit Master Plan of 1973. Article 401, Detroit Riverfront. Adopted May 1974. PG IV-3.

Dunnigan, Brian Leigh. "'The Prettiest Settlement in America': A Select Bibliography of Early Detroit through the War of 1812." *Michigan Historical Review* 27, no. 1 (2001): 1-20. doi:10.2307/20173892.

Farmer, Silas, *History of Detroit and Wayne County and Early Michigan.* " Third Edition, published by Silas Farmer & Co. 1890. Republished by Gale Research Company, Book tower, Detroit, 1969.

"Linked Riverfront Parks Project "Executive Summary Report. October 1979.

Keller, Timothy, ASLA and Genevieve P. Keller, Land and Community Associates of Charlottesville, Virginia. *How to Evaluate and Nominate Designed Historic Landscapes, National Register Bulletin #18.*

Saperstein, Harriet. *Recreation Department Leads the Way.* Michigan Planner. Fall 1987. PG 6.

Sugrue, Thomas J., *The Origins of the Urban Crisis: Race and Inequality in Postwar Detroit* (Princeton: Princeton University Press, 1996), 270.

United States Department of the Interior National Park Service Bulletin 15, *How to Apply the National Register Criteria for Evaluation*, US Government Printing Office, Washington DC. Revised 1997.

Personal interviews:

Steven Vogel. Personal Interview, February 7, 2019

David Schervish and Rainy Hamilton. Personal interview, Meeting at Hamilton and Associates, February 15, 2019.

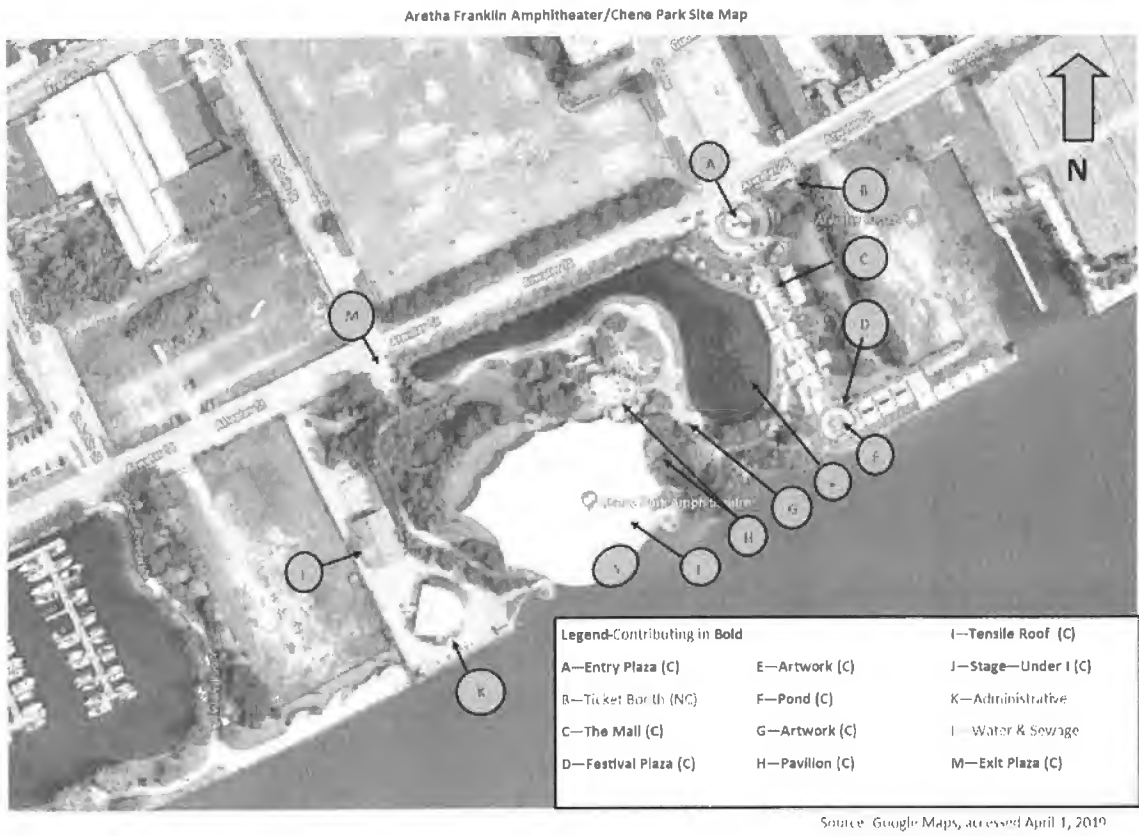
Harriet Saperstein. Personal Interview, February 26, 2019.

Ron Alpern. Telephone Interview. March 6, 2019.

Charles Merz. Telephone Interview. March 18, 2019.

Shahida Mausi and Jaunae Jones. Personal interview and property tour, March 26, 2019.

SITE MAP AND PICTURES



(A) Entry Plaza-looking south (B) Ticket Booth – far left



(C) The Mall-looking south



(D) Festival Plaza with the *Carnival (E)* by John Piet in center



(F) Pond serving as a buffer from the amphitheater- looking southwest



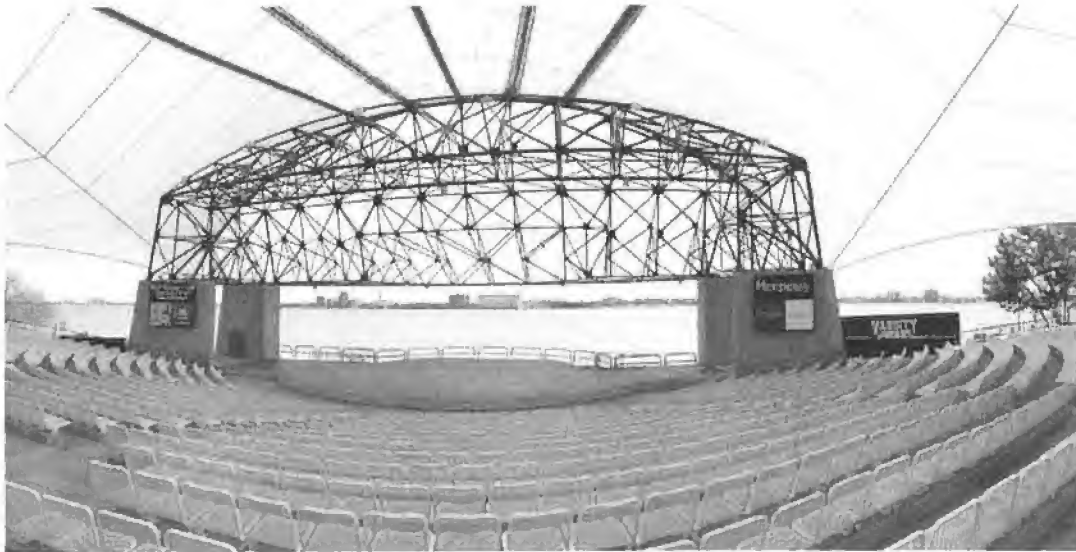
(G) *Lattice Form* by Raymond L. Katz – looking southeast



(H) Pavilion-Looking south



(I) Tensile Roof over Fixed Seating-Looking south



(J) Stage with added wings-note stage house overhead for tensile roof base



(K) Administrative Office



(L) Water & Sewage Department Building - looking southeast



(M) Exit Plaza – looking east

## S U M M A R Y

This ordinance amends Chapter 21, Article II, of the 2019 Detroit City Code by adding Section 21-2-238 to establish the Aretha Franklin Amphitheater/Chene Park Historic District, and to define the elements of design for the district.

1 BY COUNCIL MEMBER \_\_\_\_\_:

2 AN ORDINANCE to amend Chapter 21, Article II of the 2019 Detroit City Code  
3 by adding Section 21-2-238 to establish the Aretha Franklin Amphitheater/Chene Park  
4 Historic District and to define the elements of design for the district.

5 IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT  
6 THAT:

7 Section 1. Chapter 21, Article II, of the 2019 Detroit City Code be amended by  
8 adding Section 21-2-238 to read as follows:

9 Sec. 21-2-238. Aretha Franklin Amphitheater/Chene Park Historic District.

10 (a) A historic district to be known as the Aretha Franklin Amphitheater/Chene  
11 Park Historic District is established in accordance with the provisions of this article.

12 (b) This historic district designation is certified as being consistent with the  
13 Detroit Master Plan.

14 (c) The boundaries of the Aretha Franklin Amphitheater/Chene Park Historic  
15 District are as shown on the map on file in the office of the City Clerk, and are as  
16 follows: The northeast and southwest boundaries are co-determinate with the northwest  
17 and southwest boundaries, extended northwest and southeast, of the parcel described as:  
18 S E ATWATER W 124.50 FT OF CHENE FARM P C 733 LYG S OF AND ADJ  
19 ATWATER ST 50 FT WD 11/4 1 THRU 5BLK 1 SUB OF PT JAMES CAMPAU  
20 FARM E ½ OF P C 91 L2 P17 PLATS. W C R 9/1 ALSO THAT PT OF THE DUBOIS  
21 FARM W ½ OF P C 91 LYG S OF E ATWATER ST 50 FT WD 9/11 403. The  
22 northwest boundary is the centerline of East Atwater Street. The southeast boundary is  
23 the Detroit harbor line. Commonly known as 2200/2600 East Atwater Street.

24 (d) The defined elements of design, as provided for in Section 21-2-2 of this  
25 code, are as follows:

1           (1)   Height. The buildings at 2200/2600 East Atwater Street consists of a one  
2                   (1) story rectangular ticket booth, a one (1) story oval merchandising  
3                   building, a five (5) level pavilion made up of a series of circular cylinders  
4                   for concession, restroom, and event facilities, a one (1) story  
5                   administration building, an approximately seventy (70) foot high  
6                   amphitheater and stage structure constructed on top of a forty (40) foot  
7                   high manmade hill (the stage is elevated approximately two (2) feet), and  
8                   two art objects approximately ten (10) feet high each.

9           (2)   Proportion of building's front façades. All buildings are wider than tall on  
10                   all elevations. The pavilion is approximately fifty-three (53) feet by one  
11                   hundred and thirty (130) feet in a slightly arched shape, and features  
12                   numerous round cylinder shaped buildings and structures assembled in an  
13                   asymmetrical stepped pattern surrounding its main entrance with a total of  
14                   five (5) levels. The stepped pattern adds a vertical emphasis to the  
15                   building façade.

16          (3)   Proportion of openings within the façades. The ticket booth building is  
17                   composed of approximately eighty percent (80%) openings in its front  
18                   façade (northwest elevation). The merchandising building has one opening  
19                   that is approximately seventy five percent (75%) of its front façade (north  
20                   elevation). The administration building is composed of approximately fifty  
21                   percent openings in its front façade (southeast elevation). The pavilion  
22                   building is composed of approximately seventy five percent (75%)  
23                   asymmetrical openings in its front façade (south elevation). The  
24                   amphitheater structure is one hundred percent (100%) open on its entire  
25                   circumference and covered by a tensile structure.

- 1           (4)   *Rhythm of solids to voids in the front façades.* A regular rhythm of solids  
2           to voids exists on all elevations of the ticket building. An irregular rhythm  
3           of solids to voids exists on all elevations of the merchandising, pavilion,  
4           and administration buildings. A single void occupies the merchandising  
5           building facade. The pavilion voids are irregularly placed: some voids act  
6           as window, doorways, and viewing points. The voids are full length  
7           starting approximately three (3) feet from the floor. The administration  
8           building has minimal voids on the entire surface of the semicircular façade  
9           of the building. There is a recessed surface with a single door on the far  
10           right side of the recess. A row of three (3) fixed square panes flank the  
11           south side of the recessed entry and two sets of three (3) fixed square  
12           panes flank the north side of the recessed entry. There are single doorway  
13           voids on the south and west elevations.
- 14           (5)   *Rhythm of spacing of buildings on streets.* Spacing of buildings is based  
15           on the necessity of the logistics for the entertainment venue to provide  
16           access and security. The pavilion is directly adjacent to the amphitheater,  
17           providing an entrance for the stage and service areas. One (1) building, the  
18           ticket booth, is directly adjacent to the street.
- 19           (6)   *Rhythm of entrance and/or porch projections.* The roof of the ticket booth  
20           projects approximately two (2) feet from the façade (northeast elevation)  
21           and is unsupported. The merchandising building roof projects  
22           approximately three (3) feet on its façade (east elevation) and is  
23           unsupported. The entrance to the administrative building is recessed into  
24           the façade (southeast elevation) approximately three (3) feet for a length

1 of approximately ten (10) feet. No consistent rhythm of entrance and/or  
2 porch projections exist amongst the buildings.

3 (7) *Relationship of materials.* The building materials are generally composed  
4 of concrete. The tensile roof consists of a Teflon coated plastic membrane.  
5 The roof of the tensile structure is supported by concrete columns and  
6 steel poles: the structure above the stage creates a stage house base for  
7 anchoring the tensile structure. Landscape elements including sidewalk,  
8 planters, and retaining walls are concrete. Lighting fixtures outside the  
9 amphitheater area, benches, signage, and trash receptacles are metal  
10 mounted on concrete bases.

11 (8) *Relationship of textures.* The ticket booth building displays an overall  
12 smooth texture. The merchandising building has a slightly textured upper  
13 surface rising from an approximately two (2) foot base with a heavier  
14 textured vertical oriented pattern found on the surface of the pavilion and  
15 on many of the landscape retaining walls and stair risers and is  
16 intentionally similar to the surface of the Renaissance Center (General  
17 Motors Building). The pavilion consists of the same heavily textured  
18 vertical concrete surface resembling the texture of the Renaissance Center.  
19 The heavily textured vertical concrete surfaces are found on the concrete  
20 planters incorporated into the pavilion and the facing of the stairway  
21 risers.

22 (9) *Relationship of colors.* The ticket booth building is painted in green with  
23 black accents. Walkways associated with the Entry Plaza, Mall, and  
24 Festival Plaza consist of bands of tri-colored circular and wave patterns of  
25 naturally colored gray concrete with accents of black, dark beige, and

1 white banding. The artwork *Carnival* originally painted green, blue, and  
2 red is now painted light gray. The merchandising building upper surface is  
3 dark beige and the textured base is a natural colored gray concrete. The  
4 fencing, handrails, and lighting in the amphitheater are painted the same  
5 green as the ticket booth. The artwork *Lattice Form* is painted white. The  
6 concrete surfaces of the amphitheater and the immediate surrounding  
7 walkways are a naturally colored gray. Fixed seating is white. The roof is  
8 a white membrane. The administrative building is white.

- 9 (10) *Relationship of architectural details.* Irregularly arranged, repetitive  
10 cylinder shape details of various heights are found throughout the property  
11 especially along the riverfront and cascading from the top of the pavilion  
12 to its base where a water feature was once installed. Cylinder shapes are  
13 arranged in an asymmetrical modern style spare of details. The primary  
14 facade (north elevation) of the pavilion is dominated by rough textured  
15 concrete with vertical textured design elements. Concrete stair risers  
16 repeat the same vertical textures. The amphitheater design intent is to  
17 allow the audience views of the river and the stage is located near the edge  
18 of the river with the entertainers facing away (north) from the river. The  
19 administrative building utilizes a vertically laid stack bond that  
20 emphasizes a vertical architectural element.

- 21 (11) *Relationship of roof shapes.* The roof over the ticket booth, merchandising  
22 building, pavilion, and administrative building are flat. The tensile  
23 structure roof over the amphitheater begins over the stage area and  
24 expands in a fan shape up the side of the amphitheater to the top of the

1 hill, three interior support towers create a rise in three (3) places in the  
2 roof.

3 (12) *Walls of continuity.* Landscaped planters and retaining walls are of the  
4 same vertically oriented textured concrete as the walls of the pavilion and  
5 integrated into the landscape to provide a wall of continuity. The vertical  
6 light standards, fencing, and planted trees, where they exist, result in  
7 expressions of continuity.

8 (13) *Relationship of significant landscape features and surface treatments.*  
9 Mature trees are found on the east elevation and surrounding the  
10 amphitheater. Mature shrubbery are located throughout all elevations  
11 along the building footprint and paved walkways. The Entry Plaza, Mall  
12 and Festival Plaza, and sidewalks along the pond are flanked with grass.  
13 The hill beyond the fixed seating of the amphitheater is covered in grass.  
14 and berms on the east and west sides of the parcel are covered with grass.  
15 Collections of low level multi-height cylinder shaped landscaping features  
16 are arranged along the riverfront and within the landscaped areas and  
17 some include the vertical texturizing found on the outside of the pavilion  
18 and stair risers. A seven (7) foot high metal fence provides a security  
19 buffer along the front of the property and at each end of the pond and does  
20 not contribute because it is a feature installed outside the period of  
21 significance. A new electronic changeable sign, erected in 2019, near the  
22 Entry Plaza does not contribute to significance. The lighting fixtures,  
23 benches, and metal bollards that were replaced after 1990 period of  
24 significance.

1 (14) Relationship of open space to structures. Open space exists in the broad,  
2 grassy lawn, and mature landscaping. A large manmade pond buffers the  
3 amphitheater from East Atwater Street. The amphitheater is covered by a  
4 tensile roof that allows the entire periphery of the amphitheater and stage  
5 to be open to the scenic views of the riverfront and mature landscape.  
6 Walkways are flat in publicly accessible areas. Small sections of ramping  
7 are present on each side of the stage for accessibility to the stage.  
8 Stairways are utilized to provide access into the pavilion, and  
9 amphitheater seating area. A driveway ending at a small parking area is  
10 located to the west side of the property to provide access to the  
11 administration building and the Detroit Water and Sewage Department  
12 building.

13 (15) Scale of façades and façade elements. The building façades are of a scale  
14 typical to be secondary to the large-scaled amphitheater structure. The  
15 façade of the pavilion is directly adjacent to the amphitheater structure and  
16 horizontally dominates the entrance area of the amphitheater.

17 (16) Directional expression of front elevations. The front elevation of the ticket  
18 booth, and the merchandising building, are horizontal in expression due to  
19 the one-story with flat roof construction. The administrative building is  
20 horizontally expressed, but suggests a vertical expression due to the  
21 vertically stacked bond brick pattern. The pavilion is vertical in expression  
22 due to the arrangement of tall cylinder structures rising five (5) levels up  
23 the hill directly adjacent to the amphitheater. The amphitheater possesses a  
24 diagonal expression, beginning at the base of the hill at the stage level and

1 moving in a westerly diagonal direction up to the top of the forty (40) foot  
2 hill.

3 (17) Rhythm of building setbacks. No rhythm of building setbacks is created  
4 within the park-like setting.

5 (18) Relationship of lot coverages. The buildings occupy less than thirty  
6 percent (30%) of its lot, with a broad grassy lawn with landscape  
7 treatments surrounding all buildings.

8 (19) Degree of complexity within the façades. A low degree of complexity is  
9 found at façade openings of the ticket office, merchandising building, and  
10 administrative building main entrances: door and window openings  
11 throughout are unadorned. A subtle but high degree of complexity is found  
12 in the architectural details of the pavilion due to the stacked nature of the  
13 cylinder shapes that create a tower of cylindrical elements with vertical  
14 texture.

15 (20) Orientation, vistas, overviews. The primary orientation of all buildings,  
16 amphitheater and stage structure, and objects are designed to maximize  
17 views of the Detroit River and Canada (facing south). The ticket booth  
18 building and Exit Plaza are oriented to face East Atwater Street (facing  
19 north). The pavilion openings provide frames for viewing the mature  
20 landscape and water features. The amphitheater provides patrons vistas of  
21 the Detroit River and is the backdrop for the stage. The parcel was  
22 designed to engage and connect people with the natural beauty of the  
23 riverfront with the City of Detroit as its backdrop by placing mature trees  
24 into the landscape.

1           (21) Symmetric or asymmetric appearance. The arrangement of buildings,  
2           structure and objects are asymmetric because it was consciously designed  
3           by the landscape architect to maximize views of the Detroit River and  
4           landscape.

5           (22) General environmental character. The district consists of a multi-building  
6           entertainment venue that's interrelationship is to enjoy the entertainment  
7           complimented within its natural environment. Walkways are organically  
8           arranged.to invite people to meander and stop to enjoy views of the water  
9           and landscaping elements. The surrounding area directly adjacent consists  
10          mostly of vacant lots used for patron parking. There are scattered  
11          commercial buildings along East Atwater Street between Chene and  
12          Joseph Campau Streets. Immediately adjacent to both east and west sides  
13          of the parcel are parcels undergoing development as additional outdoor  
14          recreation venues that will provide a consistent link of riverfront parks  
15          connected by a pathway to be utilized by the public.

16          **Section 2.** All ordinances or parts of ordinances, or resolutions, in conflict with  
17          this ordinance are repealed.

18          **Section 3.** This ordinance is declared necessary for the preservation of the public  
19          peace, health, safety, and welfare of the people of the City of Detroit.

20          **Section 4.** If this ordinance is passed by a two-thirds (2/3) majority of City  
21          Council members serving, it shall be given immediate effect and shall become effective  
22          upon publication in accordance with Section 4-118(1) of the 2012 Detroit City Charter;  
23          otherwise, it shall become effective in accordance with Section 4-118(2) of the 2012  
24          Detroit City Charter.

1 APPROVED AS TO FORM:

2

3

*Lawrence T. Garcia*

4

Lawrence T. García

5

Corporation Counsel



**MEMORANDUM**

**TO:** Hon. James Tate, Chair, Planning & Economic Development

**FROM:** Hon. Scott Benson, City Council District 3

**CC:** Hon. Gabe Leland, Member, Planning & Economic Development

Hon. Janice Winfrey, City Clerk

Marcell Todd, Director, CPC

Tonja Long, Law Department

Stephanie Washington, City Council Liaison

**VIA:** Hon. Brenda Jones, City Council President

**DATE:** 30 Oct 2019

**RE: MODIFICATION OF THE DRAFT SIGN ORDINANCE**

Please make the following modifications to the draft sign ordinance:

1. Remove line items: Section 4-1-1(6) & 4-1-1(7). This modification removes landscaped rights-of-way from advertising sensitive areas.
2. Modify Section 4-4-123 to allow for automatic renewal of an advertising permit after ten years if there is no other entity requesting the permit, the land owner is in compliance with all City codes and the permit fee is paid. This eliminates the mandate that the existing sign has to be removed at the end of ten years if the applicant successfully renews the advertising permit.
3. Modify Section 4-4-128(d) to increase the number of super advertising signs to 45. This increases the total number of authorized signs to 70 from 60.
4. Modify Section 4-3-4 to include marihuana and associated products to the prohibition of advertising within 1,000 feet of "advertising sensitive property."
5. Add a definition for "marihuana" to Section 4-1-1. Definitions.
6. Add a definition for "marihuana products" to Section 4-1-1. Definitions.

If you have any questions do not hesitate to contact my office at, 313-224-1198